REMARKS/ARGUMENTS

Newly filed claims 27-36 are pending in this application. Claim 27 is independent. Claims 1-26 are canceled without prejudice or disclaimer of their subject matter. Applicant respectfully submits that this Amendment does not add any new matter.

Independent claim 27 recites, in part: "**determining** whether the received ACM request is either a protected ACM request or a protected and enabling (P&E) ACM request" (emphasis added). Paragraph [0026] of the published version of the specification, for example, provides support for this subject matter. Applicant respectfully submits that the references of record, alone or in combination do not disclose, suggest, or teach this subject matter.

Independent claim 27 further recites: "when the received ACM request is the P&E ACM request, establishing an alternate connection between the source node and the destination node **using DBR**, wherein the alternate connection conforms to **new traffic parameters** in the received ACM request" (emphasis added). Paragraph [0026] of the published version of the specification, for example, provides support for this subject matter. Applicant respectfully submits that the references of record, alone or in combination do not disclose, suggest, or teach this subject matter.

Independent claim 27 further recites: "when the received ACM request is the protected ACM request, establishing the alternate connection between the source node and the destination node **using DBR**, wherein the alternate connection conforms to **original traffic parameters**" (emphasis added). Paragraph [0026] of the published version of the specification, for example, provides support for this subject matter. Applicant respectfully submits that the references of record, alone or in combination do not disclose, suggest, or teach this subject matter.

Claim 28 recites: "when no alternate connection was established, **rejecting the ACM request**" (emphasis added). Paragraph [0026] of the published version of the specification, for example, provides support for this subject matter.

Claim 29 recites: "after rejecting the ACM request, **informing the user** that the ACM request was rejected" (emphasis added). Paragraph [0026] of the published version of the specification, for example, provides support for this subject matter.

Claim 30 recites: "initiating a **timer** with the ACM controller" (emphasis added). Paragraph [0027] of the published version of the specification, for example, provides support for this subject matter.

Claim 31 recites: "launching a MODIFY REQUEST (**MOD REQ**) message to a downstream node along the original connection" (emphasis added). Paragraph

[0027] of the published version of the specification, for example, provides support for this subject matter.

Claim 32 recites: "when receiving a MODIFY ACKNOWLEDGE (MOD ACK) message before expiry of the timer, **dropping** the alternate connection" (emphasis added). Paragraph [0028] of the published version of the specification, for example, provides support for this subject matter.

Claim 33 recites: "when expiry of the timer occurs before receipt of any ACM-related messages at the source node, performing a **hitless switch** with the ACM controller to the alternate connection" (emphasis added). Paragraph [0029] of the published version of the specification, for example, provides support for this subject matter.

Claim 34 recites: "wherein the communication system has **at least one** intermediate node between the source node and the destination node" (emphasis added). Paragraph [0022] of the published version of the specification, for example, provides support for this subject matter.

Claim 35 recites: "wherein the communication system has **at least two intermediate nodes** between the source node and the destination node" (emphasis added). Paragraph [0022] of the published version of the specification, for example, provides support for this subject matter.

Claim 36 recites: "wherein each intermediate node provides a **different connection** between the source node and the destination node" (emphasis added). Paragraph [0022] of the published version of the specification, for example, provides support for this subject matter.
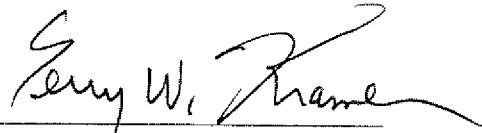
Applicant respectfully submits that independent claim 27 is allowable over the references of record. Claims 28-36 depend from claim 27. Thus, claims 28-36 are also allowable at least due to their dependency from an allowable base claim.

CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: ___July 30, 2010___

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